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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,174	09/08/2000	Hiroki Ogata	SCEI 3.0-029	3464

7590

07/03/2002

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EXAMINER

COBURN, CORBETT B

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/658,174

Applicant(s)

OGATA ET AL.

Examiner

Corbett B. Coburn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 16, 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5-9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

2. Claim 15 is objected to because of the following informalities: It contains the limitation, "and has a contact area with said resistor is changed". Something appears to be missing here. The claim also contains the phrase "step bay step". This appears to be a typographical error. Appropriate correction is required.

3. Claims 16 & 17 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim may not depend from multiply dependant claims. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the

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invention. Claim 4 has the limitation, "and has elasticity". It is not clear whether the resistor has elasticity or whether the conductive member has elasticity. Proper correction is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-5 & 18-30 are rejected under 35 U.S.C. 102(e) as being anticipated by DeVolpi (US Patent Number 6,067,005).

Claim 1: DeVolpi teaches a controller (12) that can be pushed. There is a detecting device (22, 24) for outputting an analog signal corresponding to the pressing of the controller. (Col 1, 15-20) There is an analog-to-digital that converts the analog signal into a bit stream and outputs it as a corresponding digital signal. (Col 3, 14-22)

Claim 2: The detecting device (22, 24) is a pressure-sensitive device that is arranged at a position to which a pressure acting of the controller is transmitted. (Fig 1)

Claims 3, 18: There is an elastic conductive member (18) that moves with the controller (12). There is a resistor (22) disposed to come into and out of contact with the conductive member. The resistor outputs the analog signal corresponding to the contact area with the conductive member. (Col 7, 38-43)

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Claims 4, 19: DeVolpi teaches that an elastic resistive element (18) moves with the controller (12) (Col 6, 36-37) and a conductive member (24) is disposed at a position where the conductive member is brought into and out of contact with the resistor and outputs the analog signal corresponding to the contact area with the conductive member. (Col 7, 38-43)

Claims 5, 20: The conductive member (18) is deformed and has a contact area with the resistor in accordance with the contact pressure with the resistor. (Col 7, 38-43)

Claims 6, 21: Fig 5 shows that each conductive member (28) has a peaked longitudinal-section surface.

Claims 7, 22: Fig 5 shows that conductive members (28), taken as a group, have an essentially trapezoidal longitudinal-section surface.

Claims 8, 23: The conductive member (18) has a cross-sectional area that decreases step-by-step (i.e., gradually) toward a top portion that faces the resistor (22).

Claims 9, 24: The conductive element (18) shown in Fig 1 has a spherical surface that faces the resistor (22).

Claims 10, 25: The resistor (18) is formed in a shape that has a cross-sectional area that decreases toward a top portion that faces the conductive member (24).

Claim 11, 26: Fig 5 shows each resistor (28) has a peaked longitudinal-section surface.

Claims 12, 27: Fig 5 shows resistors (28), taken as a group, have an essentially trapezoidal longitudinal-section surface.

Claims 13, 28: The resistive element (18) shown in Fig 1 has a spherical surface that faces the conductive surface (24).

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Claims 14, 29: The resistor (18) has a cross-sectional area that decreases step-by-step (i.e., gradually) toward a top portion that faces the resistor (24).

Claims 15, 30: The conductive member (18) is deformed in accordance with a contact pressure with the resistor (22) and the contact area between the resistor and conductive element is changed. The resistor (22) divides a contact region of the conductive member (18) and the contact area increases step-by-step (i.e., gradually) as the deformation increases.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These are other game controllers.

Reference Name	US Patent Number
DeVolpi	5,912,612
Armstrong	6,135,886
Armstrong	6,102,802
Armstrong	6,347,997
Mitchell	3,806,471
Eventoff	4,315,238

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (703) 305-3319. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary Examiner, Jessica Harrison can be reached on (703) 308-2217. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.



cbc

June 28, 2002



JESSICA HARRISON
PRIMARY EXAMINER